

Electronic Acknowledgement Receipt

EFS ID:	4489725
Application Number:	10516705
International Application Number:	
Confirmation Number:	1003
Title of Invention:	Mutant androgen receptor, cancer cells expressing the same, a method of producing them and use thereof
First Named Inventor/Applicant Name:	Takahito Hara
Customer Number:	21874
Filer:	Colleen Joy McKiernan
Filer Authorized By:	
Attorney Docket Number:	3056 US0P
Receipt Date:	19-DEC-2008
Filing Date:	02-DEC-2004
Time Stamp:	10:55:41
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$810
RAM confirmation Number	8706
Deposit Account	041105
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. 1.492 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	12192008_rce.pdf	29134 1971616c7d74755ab64638ecec43ba9884e 190fa	no	1

Warnings:

This is not a USPTO supplied RCE SB30 form.

Information:

2	Amendment After Final	12192008_resp.pdf	80694 91e6e87554a29651e86959dcb205129d449 d0aa2	no	14
---	-----------------------	-------------------	---	----	----

Warnings:

Information:

3	Fee Worksheet (PTO-06)	fee-info.pdf	30198 20c2d365de1b46efc866a50f1465fe409b94 0cab	no	2
---	------------------------	--------------	---	----	---

Warnings:

Information:

Total Files Size (in bytes): 140026

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 01/09/2009

GDUCKETT SALE #00000001 Mailroom Dt: 12/19/2008 041105 10516705
01 FC : 1255 2,350.00 DA
02 FC : 1202 52.00 DA



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/516,705	12/02/2004	Takahito Hara	3056 US0P	1003
21874	7590	11/25/2008	EXAMINER	
EDWARDS ANGELL PALMER & DODGE LLP			BRISTOL, LYNN ANNE	
P.O. BOX 55874			ART UNIT	PAPER NUMBER
BOSTON, MA 02205			1643	
MAIL DATE		DELIVERY MODE		
11/25/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Application Number 	Application/Control No.	Applicant(s)/Patent under Reexamination
	10/516,705	HARA ET AL. Art Unit
	LARRY R. HELMS	1643

Document Code - AP.PRE.DEC

Notice of Panel Decision from Pre-Appeal Brief Review



This is in response to the Pre-Appeal Brief Request for Review filed 5/21/08.

1. **Improper Request** – The Request is improper and a conference will not be held for the following reason(s):

- The Notice of Appeal has not been filed concurrent with the Pre-Appeal Brief Request.
- The request does not include reasons why a review is appropriate.
- A proposed amendment is included with the Pre-Appeal Brief request.
- Other: _____

The time period for filing a response continues to run from the receipt date of the Notice of Appeal or from the mail date of the last Office communication, if no Notice of Appeal has been received.

2. **Proceed to Board of Patent Appeals and Interferences** – A Pre-Appeal Brief conference has been held. The application remains under appeal because there is at least one actual issue for appeal. Applicant is required to submit an appeal brief in accordance with 37 CFR 41.37. The time period for filing an appeal brief will be reset to be one month from mailing this decision, or the balance of the two-month time period running from the receipt of the notice of appeal, whichever is greater. Further, the time period for filing of the appeal brief is extendible under 37 CFR 1.136 based upon the mail date of this decision or the receipt date of the notice of appeal, as applicable.

The panel has determined the status of the claim(s) is as follows:

Claim(s) allowed: none.

Claim(s) objected to: none.

Claim(s) rejected: 12, 71, 72, 74-76.

Claim(s) withdrawn from consideration: _____.

3. **Allowable application** – A conference has been held. The rejection is withdrawn and a Notice of Allowance will be mailed. Prosecution on the merits remains closed. No further action is required by applicant at this time.

4. **Reopen Prosecution** – A conference has been held. The rejection is withdrawn and a new Office action will be mailed. No further action is required by applicant at this time.

All participants:

(1) LARRY R. HELMS.

(2) Julie Burke.

(3) Lynn Bristol.


LARRY R. HELMS, PH.D.
SUPERVISORY PATENT EXAMINER.

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: January 27, 2009
Electronic Signature for Colleen McKiernan, Ph.D.: /Colleen McKiernan, Ph.D./

Docket No.: 68138(46590)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Takahito Hara et al.

Application No.: 10/516,705

Confirmation No.: 1003

Filed: December 2, 2004

Art Unit: 1643

For: MUTANT ANDROGEN RECEPTOR,
CANCER CELLS EXPRESSING THE SAME,
A METHOD OF PRODUCING THEM AND
USE THEREOF

Examiner: L. A. Bristol

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant requests a refund of \$2402.00 with respect to Deposit Account No. 04-1105 on January 9, 2009 for the above identified application. The charges on January 9, 2009 represent a charge for an extension of time for a timely filed response. Further, the application presently includes only 8 claims under examination. Therefore, a fee for claims in excess of 20 should not have been charged.

The charges of January 9, 2009 in the case are set forth in the table below:

Fee Code	Amount
1255	\$2350.00
1202	\$52.00

The relevant documents are provided herewith. The relevant dates are provided below.

BOS2 717811.1

A pre-Appeal Brief Request for Review was filed in the above named case on May 21, 2008 with a Notice of Appeal.

A Notice of Panel Decision from Pre-Appeal Brief Review was mailed to Applicant on November 25, 2008. At point 2, the Notice set forth the following deadlines for timely response.

Applicant is required to submit an appeal brief in accordance with 37 C.F.R. 41.37. The time period for filing an appeal brief will be reset *to one month from mailing this decision*, or the balance of the two-month time period running from the receipt of the Notice of Appeal, whichever is greater. (emphasis added)

Applicant filed a response to the Notice on December 19, 2008, within one month of the mailing date of the decision. Therefore, the response was timely filed and no fee for an extension for time for reply should be assessed in the case.

Applicant believes that the amount charged to Deposit Account No. 04-1105 in the amount of \$2402.00 on January 9, 2009 is an incorrect charge and a refund is requested.

Dated: January 27, 2009

Respectfully submitted,

By /Colleen McKiernan, Ph.D./
Colleen McKiernan, Ph.D.
Registration No.: 48,570
EDWARDS ANGELL PALMER & DODGE
LLP
P.O. Box 55874
Boston, Massachusetts 02205
617-517-5555
Attorneys/Agents For Applicant